

REMARKS

Claims 1-17 have been examined. Claims 1-10, 13, 14, 16 and 17 have been rejected under 35 U.S.C. § 102(b) and claims 11, 12 and 15 have been rejected under 35 U.S.C. § 103(a).

INTERVIEW

Applicant thanks Examiner Weeks and Examiner Sipos for the courtesy extended to Applicant's representative, Mr. Brandon White, during the Applicant-initiated telephone interview of May 3, 2005. During the Interview, claim 1 was discussed as it relates to the rejection under 35 U.S.C. § 102 over U.S. Patent No. 6,612,100 to Morimoto ("Morimoto"). In particular, Applicant requested clarification on the Examiner's reading of Morimoto onto claim 1's "first handling means." Applicant's representative explained that package delivery machine 810 did not read on the "first handling means" recited in claim 1. In particular, Applicant pointed to Fig. 1 and col. 8, lines 42-68 to show that package delivery machine 810 did not "plac[e] one of said protective cover and said stacked sheets on an upper surface of a remaining one of said protective cover and said stacked sheets," but instead moved completed packs W. The Examiner indicated that she agreed with Applicant's position regarding the failure of package delivery means 810 to read on the "first handling means" recited in claim 1. The Examiner then stated that conveyer 106A corresponds to the first handling means and the claims would be rejected on this ground if submitted in their then-pending form.

Applicant's representative further requested clarification on the Examiner's reading of Morimoto on claim 1 regarding claim 1's "cutting/stacking means." The Examiner stated that it was her position that claim 1 did not require that the cutting stacking means produce a stack of only individual sheets, i.e., if the individual sheets were stacked on a protective cover, this would read on the recited cutting/stacking means.

No agreement was reached on any issue other than the Examiner's withdrawal of the rejection as it relates to her reliance on package delivery means 810 discussed above.

PRELIMINARY MATTERS

The Examiner has not acknowledged the drawings filed on January 11, 2002. Accordingly, Applicant respectfully requests the Examiner to indicate, in the next Office Action, whether the drawings are acceptable.

CLAIM AMENDMENTS

Claims 1 and 3 have been amended as shown above to more precisely define the present invention. Support for these amendments can be found at least in Figures 1 and 3 and the corresponding disclosure in the written description.

REJECTIONS UNDER 35 U.S.C. § 102(B) IN VIEW OF U.S. PATENT NO. 6,612,100 TO MORIMOTO ET AL. ("MORIMOTO")

The Examiner has rejected claims 1-10, 13, 14, 16 and 17 under 35 U.S.C. § 102(b) as allegedly being anticipated by Morimoto.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites a cutting/stacking means for forming sheets by cutting a continuous sheet at a regular length, and for stacking only the sheets in a predetermined number.

The Examiner maintains that elements 104, 400A, 400B of Morimoto disclose the claimed cutting/stacking means. However, as set forth above, “only” the individual sheets are stacked by the cutting/stacking means and said stacked sheets are stacked directly on a pallet. As set forth in Morimoto, the film supply apparatus 100 cuts a film roll 36 into films F (i.e., alleged sheets) (col. 8, lines 20-22). The films F are then supplied to the pack producing apparatus 400A, 400B, which stacks the plurality of films F on a protective cover 12 (col. 8, lines 42-45). Accordingly, the pack producing apparatus 400A, 400B stacks the films F and the protective cover 12 together, and does not just stack “only” the films F, as recited in claim 1. Further, films F are not stacked directly on a protective cover 12. Accordingly, Applicant submits that the pack producing apparatus 400A, 400B fails to teach or suggest the claimed cutting/stacking means.

Further, claim 1 recites a first handling means for placing one of a protective cover and stacked sheets on an upper surface of a remaining protective cover or stacked sheets. In the Interview of May 3, 2005, the Examiner withdrew the rejection as it relates to her reliance on Morimoto’s package delivery means 810 and stated that the then-pending claims would be rejected based on conveyor 106A as allegedly teaching the recited first handling means. However, conveyor 106A places *individual* films F on protective cover 12. It does not place *stacked sheets* on a protective cover or place a protective cover on *stacked sheets*. Accordingly, Applicant submits that Morimoto fails to teach a first handling means as recited in claim 1.

In view of the above, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claim 2-6, 10, 13-14 and 16-17

As independent claim 3 recites limitations similar to those distinguished above with respect to claim 1 and as claims 2, 4-6, 10, 13-14 and 16-17 are dependent upon claim 1 or claim 3, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claims 7-9

Claims 7-9 recite respective features regarding power drive sources. The Examiner has not indicated where such features are disclosed in Morimoto. Accordingly, if the rejection is to be maintained, Applicant respectfully requests the Examiner to specifically indicate where the claimed features are disclosed in the reference.

Applicant also submits that claims 7-9 are patentable at least by virtue of their indirect dependency upon claim 3.

REJECTIONS UNDER 35 U.S.C. § 103(A) IN VIEW OF MORIMOTO AND U.S. PATENT NO. 5,733,099 TO HONNEGER ("HONNEGER")

The Examiner has rejected claims 11 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morimoto and Honneger. However, since claims 11 and 12 are indirectly dependent upon claim 3, and Honneger fails to cure the deficient teachings of Morimoto in regard to claim 3, Applicant submits that claims 11 and 12 are patentable at least by virtue of their dependency.

REJECTIONS UNDER 35 U.S.C. § 103(A) IN VIEW OF MORIMOTO AND U.S. PATENT NO. 5,878,554 TO LOREE ET AL. ("LOREE")

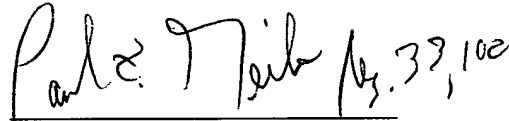
The Examiner has rejected claim 15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morimoto in view of Loree. However, since claim 15 is indirectly dependent upon claim 3, and Loree fails to cure the deficient teachings of Morimoto, in regard to claim 3, Applicant submits that claim 15 is patentable at least by virtue of its dependency.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

Handwritten signature of Allison M. Tulino in cursive, with the number 38,102 written to the right.

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